

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA

VS.

ANTRON BISHOP,

Defendant

NO. 3: 05-CR-36 (CAR)

VIOLATIONS: DRUG AND FIREARMS RELATED

ORDER OF DETENTION PENDING TRIAL

In accordance with the Bail Reform Act, 18 U.S.C. §3142(f), a DETENTION HEARING was this day held in the above-captioned case before the undersigned. The defendant was represented by Mr. John Philip Fox of the Macon Bar; the United States was represented by Assistant U. S. Attorney Tamarra A. Jarrett. Based upon the evidence presented and proffered to the court by the parties and the contents of the Pretrial Service Report dated December 6, 2005, I conclude that the following facts require the detention of the defendant pending the trial of this case.

PART I - FINDINGS OF FACT

- (1) There is PROBABLE CAUSE to believe that the defendant has committed an offense
 - for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act.
 - under 18 U.S.C. §924(c).
- (2) The defendant has not rebutted the presumption established by finding (1) that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

ALTERNATIVE FINDINGS

- (1) There is a serious risk that the defendant will not appear.
- (2) There is a serious risk that the defendant will endanger the safety of another person or the community.

PART II - WRITTEN STATEMENT OF REASONS FOR DETENTION

Applying the factors set forth in 18 U.S.C. §3142(g), I find that the testimony presented and evidence proffered at the DETENTION HEARING, as supplemented by information contained in the Pretrial Services Report of the U. S. Probation Office dated December 6, 2005, independently establish by clear and convincing evidence that no condition or combination of conditions set forth in 18 U.S.C. §3142(c) will reasonably assure the appearance of defendant BISHOP and the safety of the community were he to be released from custody at this time. The offenses charged against the defendant are serious drug and firearms offenses for which he faces long-term imprisonment if convicted; his estimated guideline sentencing range is 360 months to life imprisonment. The weight of evidence is strong, with numerous instances of drug dealing being established during the period dealt with in the indictment. In addition, there is evidence that the defendant, a convicted felon, has been in possession of a firearm during the time period in question.

Defendant BISHOP has strong ties to the Athens-Clarke County area, but he also has a significant felony conviction record with two prior convictions on drug related charges, to-wit: POSSESSION WITH INTENT TO DISTRIBUTE COCAINE, Athens-Clarke County Superior Court, 1999, and SALE OF COCAINE, Athens-Clarke County Superior Court, 2000. Significantly, he was on probation during the time period covered by the federal indictment. In addition, he has a history of both probation and parole violations and revocations. In the view of the undersigned, the evidence presented at the Detention Hearing independently establishes a serious danger to the community based upon continued drug dealing; the defendant has exhibited a propensity to involve himself in illegal drug activity and to possess firearms. There also appears to be serious risk of flight present in this case based upon the fact that he faces very long imprisonment if convicted.

For the foregoing reasons, pretrial detention is mandated. IT IS SO ORDERED.

PART III - DIRECTIONS REGARDING DETENTION

The defendant is hereby committed to the custody of the Attorney General of the United States or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SO ORDERED, this 9th day of DECEMBER, 2005.



A handwritten signature in blue ink that reads "Claude W. Hicks, Jr."

CLAUDE W. HICKS, JR.
UNITED STATES MAGISTRATE JUDGE